

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 3578 of 1995

JANTA VIDEO
V/S
STATE

None present for the appellant / petitioner

Mr. OP BOOB, AGA, for the respondent

Date of Order : 11.5.2007

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the respondent as nobody appears for the petitioner.

By this petition, the petitioner sought a direction against the respondents, restraining them from interfering with operation of VCR by the petitioner, and also from taking coercive steps, so as not to seize, or confiscate the VCR, VCP, TV and other instruments apparatus of the petitioner.

The grievance raised by the petitioner is that operations of these instruments do not require any license, and for that purpose, a Division Bench Judgment of this Court in D.B.C.W.P.No.753/88-Prince Video Vs. State has been relied upon, wherein this Court has held that there is no requirement of obtaining license for exhibiting the films on VCRs and VCP. It was also held that Rajasthan Cinema (Regulation) Act, 1952 does not make any such

provision, so obtaining license in the aforesaid Act, cannot be insisted.

In reply also, it has been contended that the sole endeavour of the petitioner is that he should be let free to allow the movies on the VCR, which are full of obscene, and are blue prints. It was pleaded that respondent never entered the premises of the petitioner, and never interfered with the business of the petitioner, and that as per the law prevailing, there is no requirement of taking license for exhibition of films, if they are already certified by the Censure Board, and that at no point of time, the petitioner was insisted upon by the respondents to obtain license.

In my view, in view of the this reply, it is clear that even the respondents are not insisting on obtaining license as contended by the petitioner.

The writ petition is, accordingly, allowed. It is clarified that this order will not entitle the petitioner to exhibit, or show any obscene, or blue films, or to show any such picture, which may create law and order situation.

(N P GUPTA), J.

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